

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

Kirby-Smith Machinery, Inc.,)

Plaintiff,)

v.)

Case No. CJ-2009-3493

AOK Construction, LLC, and)
Continental Energy Services, LLC,)

Defendants.)

and)

Ritchie Bros. Auctioneers (America), Inc.,)
f/k/a Ritchie Bros. Auctioneers, Inc.,)

Garnishee.)

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

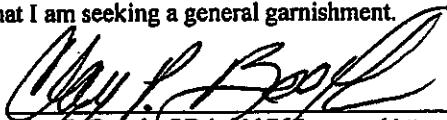
MAY - 1 2009

PATRICIA PRESLEY, COURT CLERK
by LW DEPUTY

STATE OF OKLAHOMA)
) SS:
COUNTY OF OKLAHOMA)

I, Clay P. Booth, being duly sworn, states as follows:

1. That he is the attorney for the Plaintiff, Kirby-Smith Machinery, Inc., in the above-styled case;
2. For Prejudgment Garnishment Only: That AOK Construction, LLC, and Continental Energy Services, LLC, the Defendants in the above-styled cause, is indebted to me in the amount of \$730,683.24, on my original claim, over and above all offsets.
3. For Postjudgment Garnishment Only: That _____, the Judgment Debtors and Defendants in the above-styled cause, is indebted to me as follows:
4. That I believe that the above-named Garnishee, Ritchie Bros. Auctioneers (America), Inc., f/k/a Ritchie Bros. Auctioneers, Inc., is indebted to or has property within its possession or under its control, which is not by law exempt from seizure or sale upon execution, belonging to Defendants.
5. That I am *not* seeking a continuing garnishment. That I am seeking a general garnishment.


Clay P. Booth, OBA #11767 (Attorney's Lien Claimed)

- for the firm -

KLINER, KLINE, ELLIOTT & BRYANT, P.C.

720 NE 63rd Street

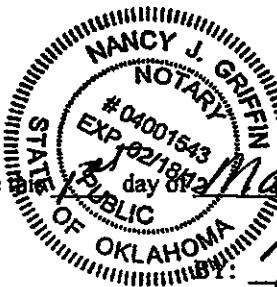
Oklahoma City, OK 73105-6405

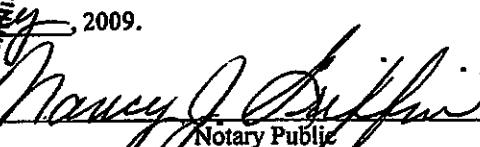
Telephone: (405) 848-4448

Faximile: (405) 842-4539

Attorney for Plaintiff, Kirby-Smith Machinery, Inc.

Subscribed and sworn to before me this day of May 2009.




Nancy J. Griffin Notary Public

My Commission Expires: 2/18/2012

My Commission Number: 04001543

